



APPROVED

KITTERY PORT AUTHORITY

January 7, 2015 Meeting Minutes

Council Chambers, Town Hall

Members Present: Kelly Philbrook, Steve Lawrence, Ray Grenier, Ann Grinnell

Members Absent: Tom Smith

Staff: Harbormaster Derek Jacobs

Meeting began at 6:01 p.m.

1. Pledge of Allegiance

2. Minutes: December 4, 2014

Ms. Grinnell moved to approve with corrections

Mr. Lawrence seconded

Carried: 4-0-0

3. Public Segment

Jim Forbes: As the KPA prepares a revised fishing policy, they should consider two groups. Group 1 is the dozen or so out of area boaters drawn to one grocery store or restaurant within miles of the dock; or, Group 2, the 20-50 or more New Hampshire and Maine taxpaying residents who regularly use the docks for sustenance and recreational fishing. The Kittery docks have long been used before the interest in tourism. Let's not let greed for tourism dollars kill the long tradition which is so much a part of the charm and character that makes up Kittery.

Bob Foye: Asked about the status of the moorings placed in the Isles of Shoals.

Ms. Philbrook: When this item is reached, Ann and Derek will discuss their meeting with the Town Attorney regarding this issue.

Milton Hall: Regarding the Old Armory Way proposal. You don't move moorings to put in piers. The only time a mooring was moved was if the mooring was owned by the pier builder. Regarding the Isles of Shoals, what happens if the lab closes at Appledore? Will moorings be provided for everybody who buys a parcel of land, regardless of the size?

4. Harbormaster Report: Derek Jacobs

- Mooring Renewals: Requiring office visits for renewals to assure accurate database records.
- Office hours: Mondays and Wednesdays, 8-4 and Tuesdays and Thursdays, 10-6, with Fridays and Saturdays by appointment.
- CIP requests will be presented January 14 at 4:00 p.m.
- Traip Academy floats are in.
- Will be meeting with a lighting consultant to discuss lighting needs at the Pepperrell Cove facility.
- Requests a budget sub-committee to meet. Due date not set.
- Changed Comcast service plan to minimum during winter months to save money.

- Moorings in Back Channel have been temporarily dropped for potentially contaminated silt and sediment removal around the Naval base. Assured that moorings will not be removed and will be re-attached.

Ms. Philbrook:

- Will work with Harbormaster on CIP and attend presentation.
- Budget best reviewed and discussed in a workshop. Harbormaster will develop budget for workshop.

5. KPA Bylaws - Discuss

Ms. Philbrook: Per Council directive, bylaws were developed utilizing other Port Authority and miscellaneous bylaws. A workshop to discuss the bylaws has been held, and a public hearing is not needed.

Ms. Grinnell: Change Article VII, Section 5 to "... 'seven (7) days' preceding the scheduled meeting".

Mr. Lawrence: Correct spelling and change 'Chairman' to 'Chair' throughout the document.

Ms. Grinnell moved to adopt the KPA Bylaws dated 12/16/14, as amended

Mr. Grenier seconded

Ms. Philbrook: This is a work in progress, and can be changed.

Motion carried: 4-0-0

Mr. Hall: Aren't you going to take this to a public hearing?

Ms. Philbrook: These do not require a public hearing.

6. Rules & Regulations - Discuss & Set Public Hearing

A. Fishing Policy

To assure the correct document is reviewed at the public hearing, members reviewed and discussed the policy and agreed:

1. Fishing will be permitted at Frisbee, Government Street and Traip, with no time limitations.
2. Fishing will be prohibited at the Pepperrell Pier, with a fine of \$50.
3. All references to fines and violations at Frisbee, Government Street and Traip removed.
4. Language regarding carry in/carry out trash removal will remain as will other language.

Ms. Philbrook: Hates to limit fishing at the new facility, but this is a compromise.

Mr. Lawrence: While he did not support the new pier, it is now in place and revenue is needed to support it.

Ms. Grinnell: Who enforces the trash policy.

Harbormaster Jacobs: I will monitor, but most people are very good about self-policing.

Ms. Grinnell: Asked that Mr. Jacobs check to see if they can impose a \$50 fine.

Ms. Grinnell moved to hold a public hearing on this item at the February 5 KPA meeting
Mr. Lawrence seconded
Motion carried: 4-0-0

B. Isles of Shoals

Ms. Philbrook: Summarized the discussions to date. The meeting to discuss the placed moorings with the Town Attorney, Ms. Grinnell and Harbormaster Jacobs has been held. Harbormaster Jacobs: Asked the Town Attorney if the language as written has legal standing. Attorney McEachern suggested moving forward, and make the mooring wait list like every other wait list, with priority to landowners, then commercial users, then the general public. Additionally, develop language similar to riparian moorings, such as requiring ownership of a minimum land area (not necessarily waterfront) to receive a mooring, with one per property.

Ms Grinnell: An opinion will be issued regarding the recent issuance of moorings by the prior Harbormaster.

Harbormaster Jacobs: Essentially the Town Attorney said we should cut our losses in this regard, but to develop a regulation that would be specific to the Isles of Shoals to prevent this from happening again. In the interim, no moorings will be assigned in this area.

Ms. Philbrook: Suggested a workshop with the KPA and Isles of Shoals property owners be held to discuss proposed language. Mr. Jacobs will email Isles of Shoals property owners to invite them to the workshop, scheduled for Thursday, January 29 at 6:00 p.m. in the Council Chambers. Copies of existing Rules and Regulations and the proposed changes will be provided, noting the author.

C. General

Ms. Philbrook: The Council has asked the KPA to review the entire Rules and Regulations document to clean up and strengthen.

7. Board Business

A. Council Meeting - Scheduled for 1/26 at 7:00 to review Bylaws, Self-Assessment, and Rules and Regulations.

B. Action - List

Ann Grinnell: The Action List is a method to help organize the needs of the KPA so ideas and needs are not forgotten.

C. KPA Future Needs (added to Action List)

Steve Lawrence:

1. Government Street hoist

Harbormaster Jacobs: He is looking into this. The hoists need to be inspected yearly by OSHA.

2. Traip Floats; Size and location could cause crowding problems.

3. Fees for commercial users. No other harbor allows free usage of hoists for commercial users.

Harbormaster Jacobs: In discussions with others, found that commercial mooring holders could have higher fees and separate charges for using hoists.

Discussion followed regarding higher mooring fees or assessing specific hoist use fees

Ms. Philbrook: If CIP funds are used to update hoists, the hoists should be locked and a monthly hoist fee charged. Those who pay the fee have access to the hoists. Those who do not would pay an hourly fee. The income from these fees would then be used exclusively for hoist maintenance and repair.

Ms. Grinnell: New regulation language needs to be authored and brought to the KPA for discussion and a public hearing.

Ms. Philbrook: Steve and Derek will author a hoist fee regulation to be discussed at the February meeting.

4. Extra parking at Traip

Alan Breton: Need to designate parking for fishermen and for visitor use. The area next to the port-a-potty could be cleared of fallen trees and grassed for additional parking. Need to confirm zoning implications.

Ann Grinnell:

The Harborwater Usage Fee is avoided if boat registration is done on-line.

Harbormaster Jacobs: They will enforce the registration as best as they can, but there is a 14-day caveat in the Rules and Regulations.

D. Others - None

5. Adjourn

Ms. Grinnell moved to adjourn

Mr. Grenier seconded

Motion carried: 4-0-0

The January 7, 2015 Port Authority meeting ended at 7:15 p.m.

Submitted by Jan Fisk, January 20, 2015